## SUPREME COURT MINUTES WEDNESDAY, DECEMBER 19, 2001 SAN FRANCISCO, CALIFORNIA

S101435	Alexander M. Little, Plaintiff and Respondent
2nd Dist.	v.
B147003	Auto Stiegler Incorporated, Defendant and Appellant
Div. 5	Petition for review GRANTED.

George, C.J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J. Moreno, J.

S101591 In re Kyle F. & John J., Minors et al., Petitioners and Respondents

v.

F038536 Garrett S., Objector and Appellant

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Garrett S., Plaintiff and Appellant

V.

Lindsay F., a Minor, etc., Defendant and Respondent Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Jaquan W, S0100745* (see Cal. Rules of Court, rule 29.2 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Baxter, J., was recused and did not participate.

George, C.J. Kennard, J. Werdegar, J. Chin, J. Brown, J. Moreno, J. S101726 The People, Plaintiff and Respondent
2nd Dist. v.
B143582 Trynun Patterson, Defendant
Div. 5 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. McKay, S091421* (see Cal. Rules of Court, rule 29.2 (c )), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J. Moreno, J.

\$101833	Kenneth Balser, Plaintiff and Appellant
2nd Dist.	v.
B144933	Wells Fargo Bank, N.A., Defendant and Respondent
Div. 3	Petition for review GRANTED.
	Baxter, J., was recused and did not participate.

George, C.J. Kennard, J. Werdegar, J. Brown, J. S101964 Michael Viner et al., Plaintiffs and Respondents
 2nd Dist. v.
 B138149 Charles A. Sweet et al., Defendants and Appellants
 Div. 7 Petition for review GRANTED.

George, C.J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J.

S102043 1st Dist. A094095 Div. 2 In re Nicholas H., a Person Coming Under the Juvenile Court Law

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Alameda County Social Services, Plaintiff and Respondent

V.

Kimberly H., Objector and Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Nicholas H., S100490* (see Cal. Rules of Court, rule 29.2 (c )), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Application for stay denied as moot.

The requests to take judicial notice of the record and briefing in case number S100490 are granted.

The request to take judicial notice of the record in pending Court of Appeal case number A095267 is denied.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

Moreno, J.

S091811 In re Dean Martin Sealey

on

Habeas Corpus

The Director of Corrections is ordered to show cause, before the Los Angeles County Superior Court, when the matter is ordered on calendar, why the abstract of judgment in Case Number BA149555 should not be corrected to reflect additional presentence conduct credits pursuant to Penal Code sections 2900.5 and 4019, for the 205 days of actual presentence custody. (See *People v. Thomas* (1999) 21 Cal.4th 1122, 1125, 1130.) The return shall be filed on or before January 18, 2002.

George, C.J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J. Moreno, J.

5th Dist. Terry Dale Dustin, Petitioner

F039023

v.

S101425

Stanislaus County Superior Court, Respondent

People, Real Party in Interest

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why petitioner is not entitled to a complete transcript of the entire grand jury proceeding, and if so, whether dismissal of the indictment is an appropriate remedy for a violation of that right. (Cal. Rules of Court, rule 29.2 (b).)

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

Moreno, J.

S093526 John Minster, Plaintiff and Appellant v.

1st Dist.

A089857 Contadina Food, Inc., Defendant and Respondent

Div. 3

Pursuant to rule 29.4(c), California Rules of Court, the aboveentitled review is DISMISSED and cause is remanded to the Court of Appeal, First Appellate District, Division Three.

> George, C.J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J. Moreno, J.

S076868 Theodore L. Haas, Respondent

4th Dist.

E022209

County of San Bernardino et al., Appellants

Div. 2

The parties are directed to file supplemental briefs addressing the relevance of decisions holding unconstitutional under the due process clause laws permitting parties to select the judge before whom a case is filed and paying judges according to the number of cases heard, especially Brown v. Vance (5th Cir. 1981) 637 F.2d 272. (See also *Doss v. Long* (N.D.Ga. 1985) 629 F.Supp. 127; *State* ex rel. McLeod v. Crowe (S.C. 1978) 249 S.E.2d 772; State ex rel. Shrewsbury v. Poteet (W.Va. 1974) 202 S.E.2d 628; and State ex rel. Reece v. Gies (W.Va. 1973) 198 S.E.2d 211.) The parties shall file the supplemental briefs simultaneously, on or before January 4, 2002. The parties may if they wish file simultaneous supplemental reply briefs not exceeding 10 pages on or before January 11, 2002.

S100777 In re Bryan R. Kazarian on Discipline

The matter is hereby remanded to the State Bar of California with directions to conduct further proceedings in accordance with Business and Professions Code section 6102 and California Rules of Court, rule 951, subdivision (a). (Rule 953.5, Cal. Rules of Court.)

S102527 The People, Petitioner

1st Dist.

v.

A096959

Marin County Superior Court, Respondent

Div. 4

Patrick Ghilotti, Real Party in Interest

The documents lodged in this court on December 6, 2001, as

"EXHIBIT 1/LODGED WITH REQUEST FOR

CONFIDENTIALITY/for Real Party in Interest" are ordered returned to the submitting party. These documents are not part of the record in the matter under review, and their contents shall not be described or discussed in the briefs filed by the parties.

S025121 People, Respondent

v.

Robert Clarence Taylor, Appellant

The time for granting or denying rehearing in the above-entitled case is hereby extended to and including March 11, 2002, or the date upon which rehearing is either granted or denied, whichever occurs first.

S100039 Vladimir Soroka, Petitioner

v.

Court of Appeal, Second Appellate District, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

S102399 John Karl Reiman, M.D., Petitioner

V.

Court of Appeal, Third Appellate District et al., Respondents Petition for writ of mandate/prohibition DENIED.

S102534 Tahir Raja, Petitioner

v.

Court of Appeal Fifth Appellate District, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

SAN FRANCISCO 2167

S102645

v.

Court of Appeal Sixth Appellate Di People, Real Party in Interest Petition for writ of mandate DENIED.

Bruce Nestande et al., Petitioners v.

Respondent

Allan Songstad et al., Real Parties in Intere Application for stay and petition for writ of mandate DENIED.

Orders were filed in the following matters denying petition for writ

S091552 -

S097029 - s. Petition for writ of habeas corpus DENIED.

S098140 -

S098152 - corpus is DENIED. (See *In re Miller* 

S098183

habeas corpus is DENIED. (See *In re Waltreus* 218.)

S098312 In re Richard W. Brown on Habeas Corpus.

S098335 In re Lashonne Whitmore on Habeas Corpus.

S098336 In re David Johnson on Habeas Corpus.

S098343 In re Michael Charles Brown on Habeas Corpus.

- S098344 In re Calvin L. Jones on Habeas Corpus.
- S098466 In re Luther A. Page on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098474 In re Jeanne Blackwell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *People v. Fuhr* (1926) 198 Cal.593.)
- S098483 In re Alexander Valentine on Habeas Corpus.
- S098524 In re Relaun Vaultare Deadmon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098527 In re Gary Harris on Habeas Corpus.
- S098545 In re Vester Patterson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098601 In re Alvin Ray Burns on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S098617 In re James Thomas Roberts on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098621 In re Paul J. Patchen on Habeas Corpus.
- S098681 In re Robert Howard Grace on Habeas Corpus.
- S098707 In re Felix Solorio Valdovinos on Habeas Corpus.
- S098709 In re Gary La Branch on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

- In re Brian K. Franco on Habeas Corpus. Petition for writ of habeas In re Clark (1993) 5 Cal.4th 750; Robbins (1998) 18 Cal.4th 770, 780.)
- In re Shannon Lee Graling on Habeas Corpus. Petition for writ of

  In re Lessard (1965) 62 Cal.2d 497,

  In re Sterling (1965) 63 Cal.2d 486.)

habeas corpus is DENIED. (See (1993) 5 Cal.4th 750; re Robbins In re Miller 734.)

- re Charles Edward Sims on Habeas Corpus.

writ of habeas corpus is DENIED. (See (1993) 5 Cal.4th

S098811 In re Lee V. Quillar on Habeas Corpus.

Paul Pedersen on Habeas Corpus. Petition for writ of habeas

In re Waltreus

[1953] 41 Cal.2d 756.)

habeas corpus is DENIED. (See (1949) 34 Cal.2d 300, *In re Duvall* In re Dixon

Cal.2d 756.)

S098871 In re James Jones on Habeas Corpus.

beas Corpus. Petition for writ of

In re Dexter

S098874 In re Andy Richard Smith on Habeas Corpus. Petition for writ of In re Clark

- S098884 In re Ernesto Sanchez on Habeas Corpus.
- S098901 In re Delfino Machado on Habeas Corpus.
- S098906 In re James Crespo on Habeas Corpus.
- S098907 In re Eric Gerald Allen on Habeas Corpus.
- S098908 In re Glen W. Robison on Habeas Corpus.
- S098917 In re Dewayne Holmes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)
- S098938 In re Jack B. Kirch on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098941 In re Troy M. Naylor on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S098942 In re Mark Anthony Vigil on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Azurin* (2001) 87 Cal.App.4th 20.)
- S098961 In re Guthrie Lee Danowski on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S099004 In re Donato Estrada on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)
- S099012 In re Xavier Richard Frisbee on Habeas Corpus.
- S099019 In re Kenneth P. Herman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S099024 In re Kehau Naope on Habeas Corpus.

S099058

of habeas corpus is DENIED. (See In re Robbins 770, 780; In re Clark *In re Swain* (1949) 34 In re Duvall (1995) 9 Cal.4th 464, 474; Waltreus (1965) 62 Cal.2d 218;

(1953) 41 Cal.2d 756.)

S099060 In re Timothy Peoples on Habeas Corpus. Petition for writ of habeas In re Swain (1949) 34 Cal.2d 300, 304; re Duvall (1995) 9 Cal.4th 464, 474; (1965)62

(1953) 41 Cal.2d 756.) Cal.2d 218;

S099099 In re Oscar J. Duran on Habeas Corpus.

S099124 In re Ernest O. Harold on Habeas Corpus.

S099126 In re Bruce Charles on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1998) 18 Cal.4th 770, 780; In re Swain *In re Duvall* (1995) 9 Cal.4th *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- In re Lee Goins on Habeas Corpus. Petition for writ of habeas In re Robbins (1998) 18 Cal.4th 770, 780; (1965) 62 Cal.2d 218; In re Dixon 756.)
- S099169 In re Anthony C. Solis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1947) 29 Cal.2d 709; In re Dixon In re Swain (1949) 34 Cal.2d 300, *In re Duvall* (1995) 9 Cal.4th 464, 474.)
  - In re Eric Anthony Alston on Habeas Corpus.
  - In re Juan E. Moreno on Habeas Corpus.
  - In re Thomas J. Gabba on Habeas Corpus. Petition for writ of *In re Dixon* (1953) 41 Cal.2d 756.)
  - In re Anthony Eli McDougald on Habeas Corpus. Petition for writ In re Clark (1993) 5 Cal.4th

- S099192 In re Brian Kenneth Franco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S099217 In re York Fenton Adams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S099221 In re John Ray Hughes on Habeas Corpus.
- S099223 In re Anthony Menefee on Habeas Corpus.
- S099250 In re Earl S. Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S099273 In re Louis E. Sorter on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S099284 In re Marlene Avila Barrios on Habeas Corpus.
- S099329 In re Sean Anthony Idlett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S099354 In re Robert James Stevenson on Habeas Corpus.
- S099365 In re Jack C. Mateer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S099366 In re Ernesto Salinas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S099402 In re Stanley Newton on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

S099403 ·

corpus is DENIED. (See *In re Dixon Lindley* 

In re

S099409 -

habeas corpus is DENIED. (See *In re Robbins* 770, 780; *In re Clark In re Lindley* (1947) 29 *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

- In re Rene Sanders on Habeas Corpus. Petition for writ of habeas

  In re Robbins (1998) 18 Cal.4th 770, 780;

  (1993) 5 Cal.4th 750; In re Miller

  In re Swain (1949) 34 Cal.2d 300, 304;

  (1953) 41 Cal.2d 756.)
- In re James Stephen Turner on Habeas Corpus. Petition for writ of *In re Dixon* (1953) 41 Cal.2d 756.)
- In re Frank L. Pe corpus is DENIED. (See *In re Dixon*

S099416 -

S099444

habeas corpus is DENIED on the merits and for lack of diligence.

S099507 In re Anthony Mario Watson on Habeas Corpus.

S099525 In re Arnold Dean Adkins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1993) 5 Cal.4th 750; *People v. Buckhalter* 

S099545 -

S099552 -

S099576

Petition for writ of habeas corpus is DENIED. (See *In re Robbins In re Clark* (1993) 5 Cal.4th 750; *Swain* (1949) 34 Cal.2d 300, 304.)

- S099578 In re Marion C. Burnett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S099579 In re Frank Pollard on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S099602 In re Michael Israel on Habeas Corpus.
- S099608 In re Steven Edward Yaklyvich on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S099673 In re Rafael Torres Magana on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S099674 In re Alfred F. Bryant on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S099669 In re Presto Griff on Habeas Corpus.
- S099738 In re Lee K. Clarke on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Lessard* (1965) 62 Cal.2d 497, 503.)
- S099744 In re Garrison Johnson on Habeas Corpus.
- S099780 In re Jerry L. Mason on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)
- S099793 In re Arthur Lee Johnson on Habeas Corpus.
- S099864 In re Kenny L. Chambers on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

- In re Billy L. Eakins on Habeas Corpus. Petition for writ of habeas *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- In re Sokhean Keo on Habeas Corpus. Petition for writ o corpus is DENIED. (See *In re Swain* In re Dixon In re Duvall (1995) 9 Cal.4th 464,

S099952 -

S100003 -

S100004

S100009

corpus is DENIED. (See *In re Waltreus Lindley* 

In re

S100011 - n Neighbors on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1993) 5 Cal.4th 750; In re Robbins In re Swain (1949) 34

In re Duvall (1995) 9 Cal.4th 464, 474; (1953) 41 Cal.2d 756.)

S100044 In re Anthony Mario Watson on Habeas Corpus.

S100048 In re Mario Antonio Barrera on Habeas Corpus.

S100050 In re Gary Hallum on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1949) 34 Cal.2d 300, 304; *In* (1995) 9 Cal.4th 464, 474.)

S100054 In re Don LaFlamme on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1979) 25 Cal.3d 921.)

S100057 In re Javier Araoz on Habeas Corpus.

S100059 In re Marion C. Burnett on Habeas Corpus.

- In re Duane McLaughlin on Habeas Corpus. Petition for writ of

- habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S100083 In re Jonathan L. Mackson on Habeas Corpus.
- S100085 In re Andre Carr on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S100086 In re Gerrardo Morin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S100088 In re Richard Scott Ertel on Habeas Corpus.
- S100092 In re Jason Joseph Artiglio on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S100115 In re Joseph Kevin Van Eaton on Habeas Corpus.
- S100116 In re Melvin Ka Yu on Habeas Corpus.
- S100117 In re Steven Lawrence Schmidt on Habeas Corpus.
- S100119 In re Frederick Hernandez on Habeas Corpus.
- S100137 In re Tuan Minh Nguyen on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S100142 In re William A. Pillars on Habeas Corpus.
- S100147 In re Plez Williamson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.) Baxter, J., was recused and did not participate.
- S100148 In re Ira Green on Habeas Corpus.
- S100157 In re Duane Richards Schinner on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Azurin* (2001) 87 Cal.App.4th 20.)

- In re William Edward Riedel on Habeas Corpus.
- In re Ray Franklin Waldrop o habeas corpus is DENIED. (See *In re Waltreus* 218.)
- S100179 In re Clyde R. Medinas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1979) 25 Cal.3d 921.)
- S100183 In re Raymond Garcia on Habeas Corpus.
- In re Roberto Hernandez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1949) 34 Cal.2d 300, 304; (1995) 9 Cal.4th 464, 474.)
- - In re Danny James Bailey on Habeas Corpus. Petitio habeas corpus is DENIED. (See *In re Lindley* 723.)
- S100240 In re Andrew M. Rey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See (1993) 5 Cal.4th 750.)
- S100244 In re Wesley E. Washington on Habeas Corpus.
  - In re Shelley L. Small on Habeas Corpus.
  - In re Lahnon Coles Wright on Habeas Corpus.
  - In re Raymond L. Gibson, Jr. on Habeas Corpus.
  - In re Bomani Parker on Habeas Corpus.
  - In re K
- S100326 -

- S100327 In re Martin Ramirez on Habeas Corpus.
- S100334 In re Rodney Turner on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756.)
- S100345 In re Carlos Juan Ramirez on Habeas Corpus.
- S100346 In re Daryl Wendell Sloan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S100347 In re Ricardo L. Allen on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S100348 In re Harold Acy Brooks on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S100349 In re Darla G. Bruce on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S100350 In re Rodolpho Romanos on Habeas Corpus.
- S100353 In re Jerome L. Grimes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)
- S100372 In re Lester Parham on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S100381 In re Michael L. Bones on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

SAN FRANCISCO

December 19, 2001

S100382 -

S100392 -

corpus is DENIED. (See *In re Swain* In re Robbins (1998) 18 Cal.4th 770,

re Clark

S100393 -

habeas corpus is DENIED. (See In re Swain

304; In re Robbins

S100404 -

S100427 -

habeas corpus is DENIED. (See In re Dixon

S100428 -

S100483 -

of habeas corpus is DENIED. (See In re Robbins

770, 780; In re Swain In re Duvall

(1995) 9 Cal.4th 464, 474.)

- In re De

S100663 -

S101697 -

S102127 -

1st Dist. People, Respondent

v.

es, Appellant Div. 4

S101765

People, Respondent 1st Dist.

v.

Div. 2

S101649 Petitions for review DENIED.

1st Dist. A089586 Div. 2 S101302	John D. Hourigan et al., Appellants v. San Francisco Newspaper Agency, Respondent Petition for review DENIED. The request for an order directing publication of the opinion is denied.
1st Dist. A090175 Div. 5 S102000	People, Respondent v. Mario Lewis Stanford, Appellant Petition for review DENIED.
1st Dist. A091231 Div. 3 S101677	People, Respondent v.  Jimmy Lee Carter, Appellant Petition for review DENIED.
1st Dist. A091288 A094130 Div. 4 S101424	People, Respondent v. Michael Joseph Lamie, Appellant In re Michael Joseph Lamie on Habeas Corpus Petition for review DENIED.
1st Dist. A091354 Div. 4 S101338	Concord Communities L.P., Appellant v. City of Concord, Respondent Petition for review DENIED.
1st Dist. A091493 Div. 2 S102054	People, Respondent v. Douglas Alvin Page, Appellant Petition for review DENIED.
1st Dist. A091745 Div. 5 S101812	People, Respondent v. Dwayne Keyonn Swearington, Appellant Petition for review DENIED.

A 001762	Gregory Rosalsky, Respondent
A091763 Div. 2	California Insurance Group, Appellant Petition for review DENIED.
1st Dist. A092368 S102129	v. Roy Perritt, Appellant
1st Dist. A092569	In re Frank T., a Person Coming Under the Juvenile Cour
S102108	People, Respondent
3102108	Frank T., Appellant Petition for review DENIED.
A092670	People, Respondent
Div. 1 S102085	Thomas Eugene Ferreira, App Petition for review DENIED.
A092781	People, Respondent
Div. 2	Keith Ray Curtis, Appellant Petition for review DENIED.
1st Dist. A093137	v.
S101884	Deloris Allen, Appellant on for review DENIED.
1st Dist. A093519	v.
S101947	Donald Chiu, Defendant and Appellant  Petition for review DENIED.
	remon for leview Denied.

1st Dist. A093614 Div. 2 S102092	In re Tina G., a Person Coming Under the Juvenile Court Law
	Sonoma County Human Services Department, Respondent v.
	George G., Appellant Petition for review DENIED.
1st Dist. A093694	Charles Berry, Appellant v.
Div. 5	Dylan E. Berry et al., Respondents
S101806	Petition for review DENIED.
1st Dist. A093931	Aron Ladyzhensky, Appellant
Div. 1	v. San Francisco Housing Authority, Respondent
S101888	Petition for review DENIED.
1st Dist. A094125	George E. Burton, Appellant v.
Div. 2	Lisa Hodges, Respondent
S102086	Petition for review DENIED.
1st Dist. A095250	People, Respondent v.
Div. 4	Richard Walter Kelly, Appellant
S102121	Petition for review DENIED.
1st Dist. A096498	Harry J. Williby, Petitioner v.
Div. 5	Alameda County Superior Court, Respondent
S102209	Regents of the University of California et al., Real Parties in Interest Application for stay and petition for review DENIED.
1st Dist. A096527	Scott Emerson Felix, Petitioner v.
Div. 5	San Francisco County Superior Court, Respondent
S102204	People, Real Party in Interest
	Application for stay and petition for review DENIED.

1st Dist. A096530 Div. 4 S102488	Young Women's Christian Association of San Francisco, Petitioner v.  San Francisco County Superior Court, Respondent Soku Bukai, Real Party in Interest Application for stay and petition for review DENIED.
1st Dist. A096627 Div. 5 S102039	Scott Emerson Felix, Petitioner v. San Francisco County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
2nd Dist. B113576 Div. 7 S101998	People, Respondent v. Donald Riley, Appellant Petition for review DENIED.
2nd Dist. B135121 Div. 3 S102015	Ross C. Gunnell et al., Appellants v. Metrocolor Laboratories Incorporated et al., Respondents Petition for review DENIED.
2nd Dist. B138735 Div. 2 S102041	Sean Tucker, a Minor, etc., Appellant v.  John Tarle et al., Respondents Petition for review DENIED.
2nd Dist. B139301 Div. 7 S101105	Universal Studios Inc., Appellant v. Aetna Casualty & Surety Company et al., Respondents Petition for review DENIED.
2nd Dist. B139782 Div. 3 S102091	Isaac Raz, Appellant v. Fireman's Fund Insurance Company, Respondent Petition for review DENIED.

2nd Dist. B141931 Div. 6 S101437	Lang Ranch Company, Respondent v. Sunset Ridge LLC, Appellant Petition for review DENIED.
2nd Dist. B142397 Div. 1 S101634	In re the Conservatorship of Peggy Page Petition for review DENIED.
2nd Dist. B142417 Div. 4 S102036	Codrington D. Yarde, Appellant v. City of Long Beach, Respondent Petition for review DENIED.
2nd Dist. B142517 Div. 2 S101671	Linda Marie Romney, Appellant v. Allstate Insurance Company et al., Respondents Petition for review DENIED. Chin, J., was recused and did not participate.
2nd Dist. B142796 Div. 2 S102307	People, Respondent v. Quincy Burl Jenkins, Appellant Petition for review DENIED.
2nd Dist. B142885 B144916 Div. 4 S101745	Juanita Irving, Appellant v. The Independent Order of Foresters et al., Respondents Petition for review DENIED. Chin, J., was recused and did not participate.
2nd Dist. B143107 Div. 5 S101733	Harbor Marina LLC, Plaintiff and Appellant v. Golden Hills Properties LLC, Defendant and Respondent Petition for review DENIED.
2nd Dist. B143581 Div. 6 S102011	People, Respondent v. Jesus Gutierrez, Appellant Petition for review DENIED.

2nd Dist. B143630 Div. 1 S102025	People, Respondent v. Jesus Allala Santellana, Appellant Petition for review DENIED.
2nd Dist. B143919 Div. 2 S102044	People, Respondent v. Wesley Takesh Tateyama, Appellant Petition for review DENIED.
2nd Dist. B144043 Div. 4 S102099	Howard Gunty Profit Sharing Plan et al., Appellants v. Richard M. Greenwood et al., Respondents Petition for review DENIED.
2nd Dist. B144508 Div. 5 S101709	People, Respondent v. Alfonso Maldonado Lua, Appellant Petition for review DENIED.
2nd Dist. B144898 Div. 3 S102105	People, Respondent v. Steven Daniel Riley, Appellant Petition for review DENIED.
2nd Dist. B145274 Div. 3 S101601	George Shutt, Appellant v. Boehrdinger Mananeim Group Companies et al., Respondents Petition for review DENIED.
2nd Dist. B146089 Div. 6 S102048	People, Respondent v.  Karyl O. Clarke, Appellant Petition for review DENIED.
2nd Dist. B147375 Div. 5 S102124	People, Respondent v.  Kenneth Lamont Leavy, Appellant Petition for review DENIED.

2nd Dist. B147417 Div. 5 S102136	People, Respondent v. Humberto Barajas Vargas, Appellant Petition for review DENIED.
2nd Dist. B147481 Div. 5 S101200	Consumer Cause Incorporated, Appellant v. Weider Nutrition International Incorporated et al., Respondents Petition for review DENIED. Kennard, J., and Moreno, J., are of the opinion the petition should be granted.
2nd Dist. B147530 Div. 6 S101923	People, Respondent v. Fernando Felix, Appellant Petitions for review DENIED.
2nd Dist. B147568 Div. 5 S102090	People, Respondent v. Leonard Cornish, Appellant Petition for review DENIED.
2nd Dist. B147960 Div. 1 S102007	People, Respondent v. Jose A. Servin, Appellant Petition for review DENIED.
2nd Dist. B148075 Div. 6 S101710	Don Ray Phinney, Appellant v. Los Robles Regional Medical Center, Respondent Petition for review DENIED.
2nd Dist. B149167 Div. 5 S101999	In re Kyle L., a Person Coming Under the Juvenile Court Law People, Respondent v. Kyle L., Appellant Petition for review DENIED.

2nd Dist. B149224	People, Respondent v.
Div. 6	Maurice J. Gulley, Appellant
S102234	Petition for review DENIED.
2nd Dist. B151310	Estate of Julice Haggerty, Deceased
Div. 1 S101950	Derrick Roy Haggerty, Appellant v.
	Avelia Perkins, Respondent
	William R. Highland Insurance Company, Real Party in Interest Petition for review DENIED.
2nd Dist. B153492	Bruce H. Darian, Petitioner
Div. 2	Los Angeles County Superior Court, Respondent
S101637	United State of American and Accent Builder Incorporated,
	Real Party in Interest Application for stay and petition for review DENIED.
2nd Dist. B153786	Saturnina Canchan, Petitioner v.
Div. 7	Los Angeles County Superior Court, Respondent
S101860	Century Plus Investments et al., Real Parties in Interest Petition for review DENIED.
2nd Dist. B153899	Philip A. Kok, Petitioner v.
Div. 3	Los Angeles County Superior Court, Respondent
S102154	Hal Halford, Real Party in Interest Petition for review DENIED.
2nd Dist. B154005	Nicholas Roy Morgan, Petitioner v.
Div. 5 S102153	Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
	TOWNSHIOLIGING DALIANDI

3rd Dist. C035107 S101841	People, Respondent v. Shozaburo Urakami Holcomb, Appellant Petition for review DENIED.
3rd Dist. C035228 S102047	People, Respondent v. Dani Waldron, Appellant Petition for review DENIED.
3rd Dist. C036470 S101655	Virgilia Basilio, Appellant v. Camray Development and Construction Co., Inc. et al., Respondents Petition for review DENIED.
3rd Dist. C036549 S102087	People, Respondent v. Gai Toi Y. Williams, Appellant Petition for review DENIED.
4th Dist. D033610 Div. 1 S102233	People, Respondent v.  John Connelly, Appellant Petition for review DENIED.
4th Dist. D034444 Div. 1 S101904	People, Respondent v. Robert Campbell, Appellant Petition for review DENIED.
4th Dist. D035772 Div. 1 S101571	People, Respondent v. Mark Douglas Pfiefer, Appellant Petition for review DENIED.
4th Dist. D035850 Div. 1	People, Respondent v. Larry John Little, Appellant

4th Dist. D036078	People, Respondent
Div. 1	v. Fernando Torres Lozano, Appellant
S101642	Petition for review DENIED.
4th Dist.	People, Respondent
D036200 Div. 1	v. James D. Ray, Appellant
S101813	Petition for review DENIED.
	The request for an order directing publication of the opinion is
	denied.
4th Dist.	In re Mark Anthony Jensen
D036480	on
Div. 1 \$101361	Habeas Corpus Petition for review DENIED.
3101301	Kennard, J., is of the opinion the petition should be granted.
	The request for an order directing depublication of the opinion is
	denied.
4th Dist.	Fred Lowenschuss Associates, Appellant
D036837	V.
Div. 1 S102079	William S. Lerach et al., Respondents Petition for review DENIED.
5102079	remon for leview beineb.
4th Dist.	People, Respondent
E025541	V.
Div. 2 \$101834	Dale William Lochmiller, Appellant Petition for review DENIED.
5101054	reducin for review BENIED.
4th Dist.	People, Respondent
E026452	V.
Div. 2 S102005	Frank Lasaro Garcia, Appellant Petition for review DENIED.
5102003	remon for teview DENIED.
4th Dist.	People, Respondent
E026968	v.
Div. 2	Rita Meserve et al., Appellants
S101653	Petition for review DENIED.

4th Dist. E027207 Div. 2 S101699	People, Respondent v. Gala Simone Lui, Appellant Petition for review DENIED.					
4th Dist. E027307 Div. 2 S101839	People, Respondent v. Scott Dwayne Stoner, Appellant Petition for review DENIED.					
4th Dist. E027623 Div. 2 S101417	People, Respondent v. Michael Allen Rogers, Appellant Petition for review DENIED. The request for an order directing publication of the opinion is denied.					
4th Dist. E027781 Div. 2 S102122	In re Nayahara B., a Person Coming Under the Juvenile Court Law Riverside County Department of Public Social Services, Respondent v.  Bernardo V., Appellant Petition for review DENIED.					
4th Dist. E028012 Div. 2 S101864	People, Respondent v. Ira Christopher Green, Appellant Petitions for review DENIED.					
4th Dist. E028288 Div. 2 S102140	In re Tommy V., a Person Coming Under the Juvenile Court Law People, Respondent v. Tommy V., Appellant Petition for review DENIED.					
4th Dist. E028325 Div. 2 S101996	People, Respondent v. Camus Nesbit Derrado, Appellant Petition for review DENIED.					

4th Dist. E028410 Div. 2 S102072	People, Respondent v. Steven Alfonso Veal, Appellant Petition for review DENIED.				
4th Dist. E028604 Div. 2 S102095	People, Respondent v. Eric Delano Radford, Appellant Petition for review DENIED.				
4th Dist. E028657 Div. 2 S101977	Craig Diller, Appellant v. Mojave Desert Racing Inc. et al., Respondents Petition for review DENIED.				
4th Dist. E030511 Div. 2 S101921	Shong-Ching Tong, Petitioner v. San Bernardino County Superior Court, Responden Donald Brownell, Real Party in Interest Petition for review DENIED.				
4th Dist. E030512 Div. 2 S102009	People, Petitioner v. San Bernardino County Superior Court, Respondent Jonathan David Welch, Real Party in Interest Petition for review DENIED.				
4th Dist. G025760 Div. 3 S102046	People, Respondent v. Joshua Sung-Je Cho, Appellant Petition for review DENIED.				
4th Dist. G027522 Div. 3 S102082	People, Respondent v. Ronald Glen Norman, Appellant Petition for review DENIED.				
4th Dist. G027553 Div. 3 S102116	People, Respondent v. Michael Patrick Garrett, Appellant Petition for review DENIED.				

4th Dist. G029072 Div. 3 S101885	Marta Szlovak, Appellant v.  Jonathan H. Wheeler, Respondent Petition for review DENIED.
4th Dist. G029611 Div. 3 S101743	Waste Management Deweys Rubbish Service, Petitioner v. Workers' Compensation Appeals Board and Gail LaCoazza et al., Respondents Petition for review DENIED.
5th Dist. F034026 S101796	People, Respondent v. Alberto Torres et al., Appellants Petitions for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F034219 S102118	People, Respondent v.  Juan Carlos Rodriguez et al., Appellants Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F034326 S102078	People, Respondent v. Rudolpho Alberto Alvarez, Appellant Petition for review DENIED.
5th Dist. F034550 S102023	People, Respondent v. Mario Huerta Cortez, Appellant Petition for review DENIED.
5th Dist. F034871 S102146	People, Respondent v. Stacy Robert Newcomb, Respondent Petition for review DENIED.

5th Dist. F036786 S101511	People, Respondent v. Bobby Gene Letcher, Jr., Appellant Petition for review DENIED.					
5th Dist. F036933 S101251	Don Weller, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED. Baxter, J., was recused and did not participate.					
5th Dist. F037209 S101495	Inre Crystal J., a Person Coming Under the Juvenile Court Law					
	Kern County Department of Human Services, Respondent v. Crystal J., Appellant Petition for review DENIED. Baxter, J., was recused and did not participate. Kennard, J., is of the opinion the petition should be granted. The requests for an order directing depublication of the opinion are DENIED.					
5th Dist. F038300	Executive Wings Inc. et al., Petitioners					
S101254	Fresno County Superior Court, Respondent Royal Insurance Company of America, Real Party in Interest Petition for review DENIED. Baxter, J., was recused and did not participate.					
5th Dist. F038301	Royal Insurance Company of America, Petitioner					
S101220	Fresno County Superior Court, Respondent Executive Wings Inc. et al., Real Parties in Interest Petition for review DENIED. Baxter, J., was recused and did not participate.					
5th Dist. F038836	Mickey Lee Construction, Petitioner v.					
S101116	Fresno County Superior Court, Respondent Janie Barron et al., Real Parties in Interest Petition for review DENIED.					

6th Dist. H019424	In re the Marriage of David R. and Iris M. Fraser Cheriton					
S101465	David R. Cheriton, Respondent v.					
	Iris M. Fraser Cheriton, Appellant Petition for review DENIED.					
6th Dist. H020595	People, Respondent v.					
S101721	Joel Allen Dunno et al., Appellants Petitions for review DENIED.					
6th Dist. People, Respondent H020890 v.						
S101746	Epifano Miranda, Appellant Petition for review DENIED.					
6th Dist. H021042	People, Respondent					
S102155	Dennis Stewart, Appellant Petition for review DENIED.					
6th Dist. H021333	People, Respondent					
S101951	Anthony Lugo, Appellant Petition for review DENIED.					
6th Dist. H021880	People, Respondent v.					
S102065	Victor Huerta Delacerda, Appellant Petition for review DENIED.					
6th Dist. H022555	In re Epifanio Miranda on					
S101738	Habeas Corpus Petition for review DENIED.					
6th Dist. H022771	In re Armando Lujan Santana on					
S101287	Habeas Corpus Petition for review DENIED.					

6th Dist. Sherene B., Petitioner

H023705 v.

S102404 Santa Clara County Superior Court, Respondent

Santa Clara County Department of Family & Children's Services,

Real Party in Interest

Petition for review DENIED.

4th Dist. Cesar V., et al., Petitioners

G028726 v

Div. 3 Orange County Superior Court, Respondent

S101556 Orange County Social Services Agency et al., Real Parties in Interest

The request for an order directing depublication of the opinion in

the above-entitled appeal is denied.

5th Dist. Robert Mastro, Appellant

F034825

Steve Petrick, Respondent

The time for granting or denying review on the court's own

motion is hereby terminated.

S037195 People, Respondent

V.

Jerry Noble Kennedy, Appellant

Good cause appearing, and based upon counsel Michael Satris' representation that he anticipates filing the appellant opening brief by February 13, 2002, counsel's request for an extension of time in which to file that brief is granted to February 13, 2002. After that

date, no further extension will be granted.

S038499 People, Respondent

v.

Steven M. Bell, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 15, 2002.

SAN FRANCISCO 2196

S040471

V.

Milton Ray Pollock, Appellant

Linda M. Murphy's representation that she anticipates filing the respondent's brief by March 8, 2002, counsel's request for an

15, 2002. After that date, only one further extension totaling 30 additional days is contemplated.

People, Respondent

v.

On application of respondent and good cause appearing, it is to and including February 13, 2002.

S059739

on

Habeas Corpus

ounsel John W. Clark's

representation that he anticipates filing the exceptions to the report

extension of time in which to file that brief is granted to February further extension is contemplated.

People, Respondent

v.

Good cause appearing, and based upon Mark E. Cutler's representation that he anticipates filing the request for record

an extension of time in which to request correction of the record in the superior court is granted to February 15, 2002. After that date,

contemplated.

Counsel for appellant John Raymond Travis is ordered to serve a the superior court.

S090684 In re Paul C. Bolin

on

Habeas Corpus

Good cause appearing, counsel's request for an extension of time in which to file the informal response is granted to January 16, 2002. The court anticipates that after that date, only three further extensions totaling 90 additional days will be granted. Counsel is ordered to inform his or assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and take all steps necessary to meet this schedule.

S099231 In re Clifford Stanley Bolden

on

Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Frances Marie Dogan's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by March 31, 2002, counsel's request for an extension of time in which to file that brief is granted to January 4, 2002. After that date, only three further extensions totaling 90 additional days are contemplated.

S081120 In re Gerald Frank Stanley

on

Habeas Corpus

"Petitioner's Motion for Expedited Review and Motion to End Waiver Proceedings," filed on December 3, 2001, is granted in part as follows: The motion to end waiver proceedings is granted. The appointment of the Honorable Verna A. Adams of the Marin County Superior Court to serve as referee in this matter is vacated. This court will not entertain any further pro se requests by petitioner to dismiss the petition pending in the matter of *In re Gerald Frank Stanley on Habeas Corpus*, S081120.

"Petitioner's Motion to Rescind Authority to Appoint Separate Counsel and Motion to Disqualify Attorney Jack Leavitt," filed on December 10, 2001, and "Petitioner's Objections to Reference Proceedings and Motion to Expand Reference Order," filed on December 10, 2001, are denied as moot.

S086474 In re Ralph Michael Yeoman

on

Habeas Corpus

The Clerk is directed to return to petitioner the "Declaration of Katherine Bell and Peter Vlautin," dated September 18, 2001. Petitioner's motion, filed September 20, 2001, to file that declaration under seal, is hereby dismissed as moot.

Petitioner may, by January 22, 2002, serve and file a new response to this court's order of August 22, 2001. Any motion by petitioner for filing of a sealed document must address and comply with California Rules of Court, rules 12.5 and 243.1.